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30
31 **UNITED STATES DISTRICT COURT**
32 **NORTHERN DISTRICT OF CALIFORNIA**
33 **OAKLAND DIVISION**

34 EPIC GAMES, INC.,
35 Plaintiff, Counter-defendant,
36 v.
37 APPLE INC.,
38 Defendant, Counterclaimant.

39 Case No. 4:20-CV-05640-YGR-TSH

40 **JOINT STIPULATION AND [PROPOSED]**
41 **ORDER MODIFYING THE PRIVILEGE RE-**
42 **REVIEW PROTOCOL**

43 Courtroom: 1, 4th Floor

44 Judge: Hon. Yvonne Gonzalez Rogers

1 WHEREAS, on December 23, 2024, the Court entered the Joint Stipulation and Order
 2 Approving Privilege Re-Review Protocol (the “Protocol”) (Dkt. 1092);

3 WHEREAS, the Protocol establishes certain deadlines related to the re-review by Apple
 4 Inc. (“Apple”) of all documents over which it has asserted privilege;

5 WHEREAS, the evidentiary hearing in this proceeding is scheduled to resume on February
 6 24, 2025; and

7 WHEREAS, the Parties wish to modify certain deadlines in the Protocol in order to best
 8 facilitate the Parties’ preparation for and presentation at the evidentiary proceedings;

10 **THEREFORE, IT IS STIPULATED AND AGREED THAT:**

11 1. Apple will produce by Tuesday, February 18, 2025, all documents that Apple sought
 12 to redact and for which Apple’s proposed redactions were upheld by the Special Masters up to and
 13 including Saturday, February 15, 2025;

14 2. Apple will endeavor to produce by Tuesday, February 18, 2025, but will produce no
 15 later than Wednesday, February 19, 2025, all documents for which a privilege claim was overruled
 16 by the Special Masters up to and including Saturday, February 15, 2025, except such documents (if
 17 any) regarding which Apple intends to object to the Special Masters’ ruling;

18 3. Apple will endeavor to produce within three (3) calendar days all documents Apple
 19 sought to redact and for which Apple’s proposed redactions were upheld by the Special Masters or
 20 by Magistrate Judge Hixson from February 16 up to and including February 20;

21 4. Apple will endeavor to produce within three (3) calendar days all documents
 22 downgraded by Magistrate Judge Hixson during the week of February 16, 2025, except such
 23 documents (if any) regarding which Apple intends to move for relief from Judge Hixson’s ruling(s);

24 5. The deadline in paragraph 4(a) of the Protocol for any objections to the privilege
 25 rulings of the Special Masters due from February 20, 2025 through March 2, 2025 is tolled by 11
 26 days;

27
 28 **JOINT STIPULATION**
AND [PROPOSED] ORDER MODIFYING
THE PRIVILEGE RE-REVIEW PROTOCOL

1 6. If either party elects to file objections in the period from February 20 through March
2, the opposing party's time to respond is extended to March 4, 2025;

3 7. This order shall not affect any deadlines to respond to objections filed before
4 February 20.

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8 Dated: February 18, 2025

Respectfully submitted,

9 By: /s/ Yonatan Even
10

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37 **JOINT STIPULATION**
38 AND **[PROPOSED]** ORDER MODIFYING
39 THE PRIVILEGE RE-REVIEW PROTOCOL

Dated: February 18, 2025

Respectfully submitted,

By: /s/ Mark A. Perry

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JOINT STIPULATION
AND [PROPOSED] ORDER MODIFYING
THE PRIVILEGE RE-REVIEW PROTOCOL

1 PURSUANT TO THE FOREGOING STIPULATION AND GOOD CAUSE APPEARING,
2 IT IS SO ORDERED.

3 Dated: February 19, 2025


4 HON. YVONNE GONZALEZ ROGERS

28 JOINT STIPULATION
AND [PROPOSED] ORDER MODIFYING
THE PRIVILEGE RE-REVIEW PROTOCOL

E-FILING ATTESTATION

I, Mark A. Perry, am the ECF User whose ID and password are being used to file this document.

In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Mark A. Perry

Mark A. Perry

JOINT STIPULATION
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THE PRIVILEGE RE-REVIEW PROTOCOL